

**A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT BY AND AMONG
FAIR SHARE HOUSING CENTER, INC, THE TOWNSHIP OF NORTH BRUNSWICK,
THE TOWNSHIP OF NORTH BRUNSWICK PLANNING BOARD AND
NORTH BRUNSWICK TOD ASSOCIATES, LLC AS TO ALL CLAIMS AGAINST
THE TOWNSHIP ARISING OUT OF ACTIONS ENTITLED "FAIR SHARE HOUSING
CENTER, INC V TOWNSHIP OF NORTH BRUNSWICK",
DOCKET NUMBERS MID-L-6495-10 AND MID-L-6081-12**

WHEREAS, actions have been filed against the Township of North Brunswick and other Defendants in the Superior Court of New Jersey, Middlesex County under the title "Fair Share Housing Center, Inc. v the Township of North Brunswick under docket numbers MID-L-6495-10 and MID-L-6081-12; and

WHEREAS, Fair Share Housing Center, filed a lawsuit due to a concern that the North Brunswick TOD, LLC project for that certain tract and parcel of land and the improvements thereon consisting of approximately 206.158 acres with a street address of 2300 US Route 1 North, North Brunswick, N.J. 08902; designated as Block 141 Lots 1-143 on the current tax and assessment map of the Township of North Brunswick would not contain "moderate – income units" and "low – income units" as those terms are defined in N.J.A.C 5:80-26.2; and

WHEREAS, the parties have negotiated and agreed upon a settlement agreement whereby 12.2 % of the housing units in the transit oriented mixed use development to be constructed by North Brunswick TOD, LLC shall be affordable housing units as particularly described in that certain document entitled "Settlement Agreement By and Among Fair Share Housing Center, Inc., Township of North Brunswick, Township of North Brunswick Planning Board and North Brunswick TOD Associates, LLC" (the "Settlement Agreement") which is incorporated herein by reference; and

WHEREAS, the Township Council of the Township of North Brunswick held a public hearing at which it considered the terms of the Settlement Agreement and approved same and authorized the Mayor of the Township of North Brunswick to execute and the Township Clerk to witness the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, that the Mayor is hereby authorized to execute the Settlement Agreement By and Among Fair Share Housing Center Inc, The Township of North Brunswick, The Township of North Brunswick Planning and North Brunswick TOD Associates, LLC which will settle the litigation entitled Fair Share Housing Center Inc. v Township of North Brunswick, et als, under docket numbers MID-L-6495-10 and MID-L-6081-12.

Michael C. Hritz
Director of Community Development

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
(Approved as to legal form)